

ATTACHMENTS:

- A. Chronological**
- B. CAD**
- C. Incident Report 110-460-706**
- D. Homicide Report**
- E. CSI Report / Crime Lab Report**
- F. Medical Examiner's Report**
- G. Suspect Profile: [REDACTED]**
- H. Interview Transcripts: Sergeant Ryan**
- I. Interview Transcript: Officer Lieu**
- J. Employee Profile: Sergeant Ryan**
- K. Employee Profile: Officer Lieu**
- L. Prelim Investigation Memo, RTD, Commission PP, Training**
- M. DGO 5.01, 5.02, 8.11**
- N. Photo, Interview, Video, DEM discs**
- O. Photos**

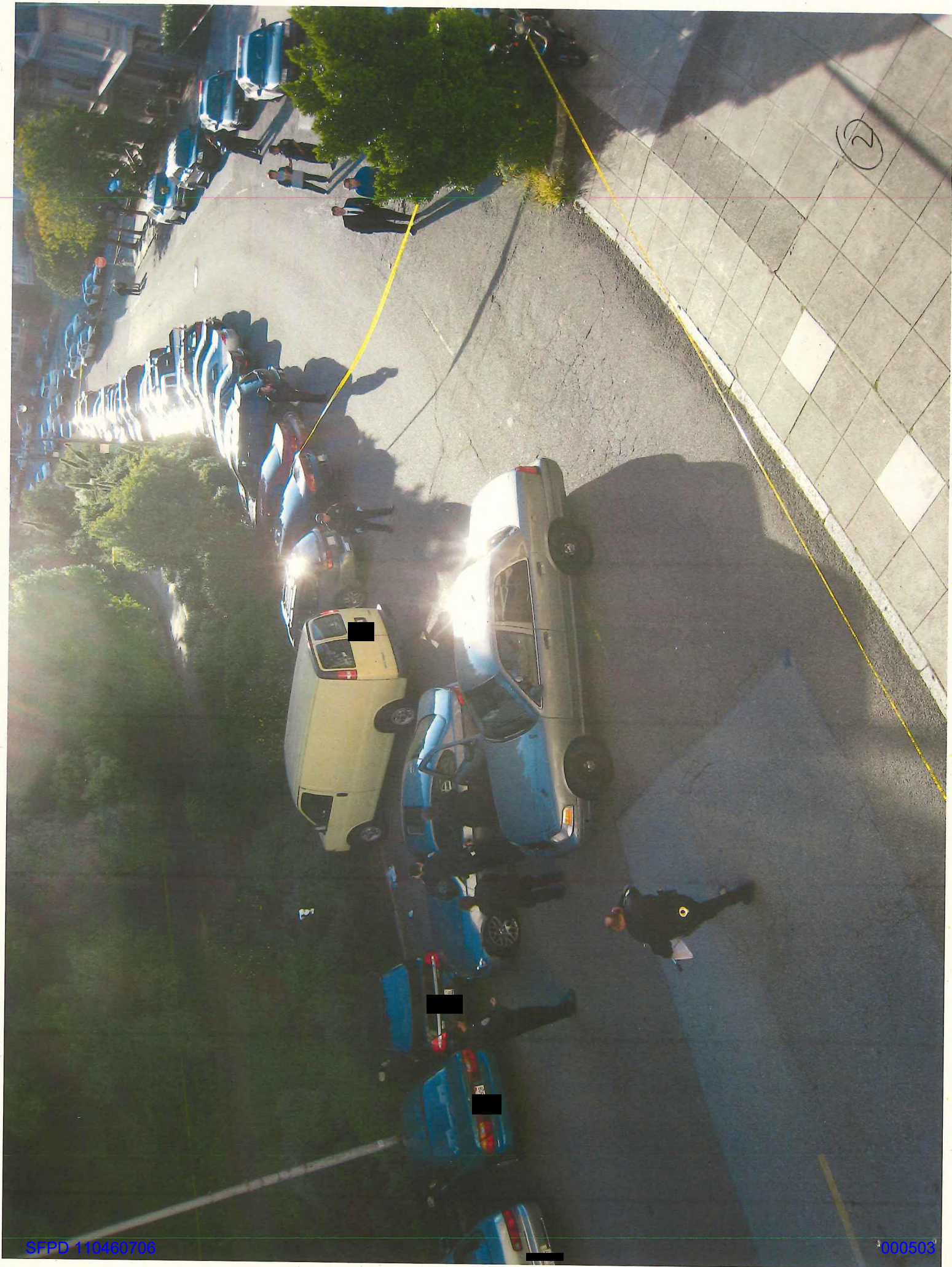


IAD 1

Sgt. Nguyen

IAD Interview













IAD (4)

Officer Liu
IAD interview









H



Internal Affairs Division
CHRONOLOGICAL RECORD OF INVESTIGATION

IAD CASE # OIS 11-002		DATE OF INCIDENT 6/7/11	DATE DEPARTMENT NOTIFIED (3304) 6/7/11
DATE IAD ASSIGNED 6/7/11		DETAIL I.A.D.	SERGEANT ASSIGNED Sergeant Michael Nevin #166
DATE	TIME	ACTIVITY	
06/07/11	1813	Received call from Ins. Tomioka regarding OIS in the Park District. Began response from Pacifica, CA. Met with Ins. Tomioka at HOJ to drive to Haight and Buena Vista	
	1900	<p>Arrived at the crime scene near Haight/Buena Vista. Inner perimeter located near [REDACTED] Buena Vista East. The weather was clear with significant wind. Homicide, CSI, command staff, OCC, district attorney representatives, and district personnel present at my time of arrival. CSI 'Total Station' set up while we were there. Both photos and video being taken. Briefed by Ins. Cagney (Homicide) but we did not enter inner perimeter due to fact that significant evidence (casings and bullets) was scattered about and could easily have been further disturbed. However, I could observe all vehicles involved. Inspector Tomioka took several photos that were later used for placement purposes for voluntary interview.</p> <p>Earlier in the day surveillance was set up on a vehicle that was stolen and involved in bank robberies from Southern California. A team of plainclothes officers from Park Station were involved in the OIS:</p> <p>Officer Ruben Reyes #1954 (3F35E) [REDACTED] has worked plainclothes for past 2 years</p> <p>Officer Albert K Lieu #1632 (3F35C) [REDACTED] [REDACTED] has worked plainclothes for past 2.5-3 years</p> <p>Sergeant Scott F Ryan #734 (3F135) [REDACTED] [REDACTED] has worked plainclothes over 10 years and past 2.5 as a supervisor</p>	
	2119	Faxed request to DEM for certified CAD and audio	
	2200	Responded to Homicide Detail to observe involved officer voluntary statements	
06/08/11	1300	Picked up DEM copies	
	1400	Picked up Photo Lab	
	1430	Sent e-mail regarding RTD for 6/13 @11:00	
	1515	Met with Lt. Jim Miller (GTF). He will check records to see if involved officers have been through his plainclothes training course.	
06/09/11	0830	Spoke to Nina at Medical Examiner's office. Dr. Azar (3-1156) will perform autopsy on 6/10	
	1040	LM for Sgt Dunnigan (BSU) regarding debriefing to be held to @1400 hrs on today's date. Asked her to have Sgt Ryan call me regarding standard training.	
06/10/11	0700	Received CSI draft from Sgt. Weggenmann (850-7092): 23 casings recovered from scene. 2 magazines seized at scene: one was empty and one contained 2 cartridges. 1 cartridge found at scene (consistent with Ofc. Lieu's statements that he reloaded before going empty and then	

Internal Affairs Division
CHRONOLOGICAL RECORD OF INVESTIGATION

		racked a live round out during incident). Will await Crime Lab analysis but based on statements and evidence it appears Sgt Ryan fired 13 times and Ofc. Lieu fired 10 times. Received outline from Lt. Miller #875 of his class: "Plain Clothes and Undercover Operations." A segment of this class is "Occupied Suspect Vehicle Investigations" that reviews DGO 5.02, plain clothes officer safety strategies, and individual incident case review.
	0715	LM for Ofc. Spagnoli [REDACTED] at the Range regarding his course for Plainclothes officers
	1100	Insp. Tomioka contacted Sgt Ryan to arrange Range and Force Options training.
	1415	Met with Dr. Azar, Medical Examiner. Smith had 6 gunshot wounds: A. right ear B. center chest (recovered bullet) C. center chest or right lower torso entry D. right lateral chest or upper abdomen entry E. left forearm F. left forearm
06/13/11	1100	RTD in room 505
	1215	Sgt. Ryan called. Informed him to get Range and Force Options complete before regular duty assignment
	1245	Spoke to Ofc. Spagnoli (Range). He will send me outline via e-mail of his plain clothes course.
	1250	Spoke to Ofc. Seto: Last Force Options for Lieu: 7/17/08 and 5/12/11 Ryan: 4/18/03, 9/10/08 and 12/19/09 Reyes 3/12/09 Monday 0900 Force Options training set up
06/15/11	1105	Dropped off RTD PowerPoint at Commission Office
	1245	Received info from Lt. Miller (GTF). All three members have taken his 24-hour plain clothes class: Reyes 12/18/07, Lieu 9/3/08 and Ryan (no date although records indicate he has taken class)
	1730	Police Commission closed door session RTD
06/21/11	0900	Spoke to Ins. Phil Wong (760-1790) from CIU. He believed that the spike strips were removed when surveillance was called off but the SFPD tracker was still on the suspect vehicle.
07/07/11	1300	Rescheduled officer admin interviews due to schedule conflicts: scheduled for 8/4 @ 1530
07/28/11	1015	Insp. Tomioka and I responded to Auto Return to obtain the SFPD tracking device on the BMW. It was located under the rear area of the vehicle: device serial [REDACTED] Photos were taken. Returned device to Sgt. McKeever at CIU
08/04/11	1530	Conducted IAD interviews with Ryan and Lieu
08/05/11	1020	Sent out interviews for IAD transcription and to POA Attorney Pendergast
02/01/12	0715	Spoke to Nina at ME's office. She will mail ME report today
02/02/12	0600	Received ME report (2011-0604)

Internal Affairs Division
CHRONOLOGICAL RECORD OF INVESTIGATION




02/17/12	0935	Sent e-mail to Sgt Chacon and Ofc. Gomes (CSI) to get 'total station' trajectory report done at impound lot. I have the total station report that was done at scene.
6/9/12	0800	Case reassigned to Insp. Monica Macdonald. Case file reviewed.
10/17/12	0900	Received Homicide report and DA disposition.
11/29/12	1145	Spoke to Officer Spagnoli at Lake Merced Range regarding Plainclothes range course attendance for Officers.





Published on *San Francisco Examiner* (<http://www.sfexaminer.com>)

[Home](#) > Suspected bank robber killed by San Francisco police is identified




Suspected bank robber killed by San Francisco police is identified



 A suspected Southern California bank robber who was fatally shot by San Francisco police after  allegedly tried to run them over near the city's Buena Vista Park on Tuesday evening has been identified by the medical examiner's office as  (Courtesy photo)

suspected Southern California bank robber who was fatally shot by San Francisco police after  allegedly tried to run them over near the city's Buena Vista Park on Tuesday evening has been identified by the medical examiner's office as .

Police were notified by the FBI that a stolen vehicle that was involved in an Irvine bank robbery and was being tracked through a GPS device was in San Francisco.

Officers went to the first block of Buena Vista Avenue East, located between Haight Street and Duboce Avenue, at about 5:40 p.m. to try to apprehend the suspect, police spokesman Lt. Troy Dangerfield said.

When the officers tried to pull over the vehicle and arrest the man,  allegedly attempted to run them over with the car. The officers, fearing for their safety, opened fire on , striking , police said.

, later identified as  was taken to San Francisco General Hospital and died sometime before 7:45 p.m., police said.

Related...



San Francisco police shoot, kill alleged bank robber near Buena Vista Park

06/07/11 10:26 PM

A known bank robber wanted by the FBI was shot and killed Tuesday night after trying to run over police in the Upper Haight neighborhood. [Read More](#)

Investigators believe Smith may be the "Gen X Bandit," suspected by the FBI of robbing two banks in Irvine on May 17.

Jim Amormino, spokesman for the Orange County Sheriff's Department, said that after the bank robberies, sheriff's deputies had spotted a car at a gas station matching the description of the one used in the bank robberies -- a gray two-door BMW 3 Series with dealer plates.

When the deputies tried to detain the driver, [REDACTED] took off at speeds as high as 110 mph, and the pursuit was dropped for safety reasons, Amormino said.

San Francisco police Sgt. Mike Andraychak said that the car involved in Tuesday night's confrontation near Buena Vista Park matched that description.

An FBI spokesperson was not immediately available Wednesday morning to confirm whether Smith was indeed the "Gen X Bandit."

[Crime](#) [Local](#) [Joshua Smith](#) [san francisco](#) [San Francisco Police Department](#)
[SFPD](#)

Source URL: <http://www.sfexaminer.com/local/crime/2011/06/suspected-bank-robber-killed-san-francisco-police-identified>

SFGate.com**'Gen X bandit' may be man killed by S.F. police**

Henry K. Lee, Chronicle Staff Writer

Thursday, June 9, 2011

SAN FRANCISCO --

█████ shot and killed by San Francisco police Tuesday evening was a robber who became known as the "Gen X bandit" because of █████ distinctive attire while holding up two banks in Orange County, authorities said Wednesday.

█████ was shot dead near Buena Vista Park when █████ allegedly tried to run over officers with a stolen BMW, authorities said.

The Southern California bank robber was suspected of stealing the car, and the FBI had tracked it to the Bay Area using the vehicle's GPS unit and alerted local police.

Lt. Troy Dangerfield, a spokesman for the Police Department, said plainclothes officers had found the BMW on the unit block of Buena Vista Avenue East, between Haight Street and Duboce Avenue. They were conducting surveillance at about 5:20 p.m. Tuesday when they saw Smith get into the car, police said.

█████ who was from Orange County, was shot when █████ drove threateningly toward the officers, authorities said. █████ died at San Francisco General Hospital.

█████ driver's license photo resembles █████ shown in surveillance-camera pictures of the Irvine bank robberies. Laura Eimiller, an FBI spokeswoman in Los Angeles, said Wednesday that █████ was suspected in the holdups.

The FBI called the bank robber the "Gen X bandit" because of the plaid shirt and stocking cap █████ wore when holding up a Chase Bank and Comerica Bank within a half hour of each other May 17.

The robber was seen driving a stolen BMW with paper license plates. Orange County sheriff's deputies spotted a BMW that matched the description on three occasions - about a half hour after the robberies and twice on May 18 - but each time, █████ sped away, said sheriff's spokesman Jim Amormino.

The names of the San Francisco officers who shot █████ were not released. They are on paid administrative leave pending investigations into the shooting.

Under department policy, police can fire at a suspect in a moving vehicle if the driver "is threatening the officer with imminent danger of death or seriously bodily injury," and the officer

has no chance to get out of the way.

"Officers never lose the right to defend themselves when they feel their lives are in danger," said Dangerfield, speaking generally. "If the vehicle is used as a weapon and officers fear for their safety, they can shoot."

Chronicle staff writer Justin Berton contributed to this report.

E-mail Henry K. Lee at hlee@sfchronicle.com.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2011/06/09/BASI1JR97L.DTL>


This article appeared on page **C - 3** of the San Francisco Chronicle



Published on *San Francisco Examiner* (<http://www.sfexaminer.com>)

[Home](#) > Suhr defends officers involved in lethal shooting of suspect

Suhr defends officers involved in lethal shooting of suspect

 [wSUHR0609.jpg](#) Police Chief Greg Suhr on Wednesday defended the actions of two officers involved in the fatal shooting of a Southern California bank robbery suspect Tuesday.

"It's never a good thing when anybody loses their life, but it appears in this instance" that the officers were either in danger of losing their lives or being seriously injured, Suhr said at a Police Commission meeting Wednesday.

Police have identified the suspect as [REDACTED] believed to be the "Gen X Bandit" responsible for two bank robberies in Irvine on May 17.

San Francisco police, operating on a tip from the FBI that a stolen car used in the robberies had been tracked to The City, tried to detain the vehicle on Buena Vista Avenue East between Haight Street and Duboce Avenue at about 5:40 p.m.

Suhr said a sergeant and an officer from the Park Station plainclothes unit pulled behind the parked vehicle, ordered the suspect out, and identified themselves as police, but [REDACTED] threw the car into reverse and "used [REDACTED] vehicle as a weapon."

The suspect drove at the sergeant, who was in danger of being pinned against his vehicle, Suhr said. The sergeant opened fire in self-defense, and the officer fired to defend the sergeant, he said.

Suhr said the suspect clipped the police car door and then drove at the officer, and several more shots were fired.

[REDACTED] was hit and later died.

The Police Department is planning a community meeting to discuss the shooting with residents.

aburack@sfexaminer.com

[Local](#) [Gen X Bandit](#) [greg suhr](#) [Joshua Smith](#) [Police](#) [san francisco](#) [SFPD shooting](#)

Source URL: <http://www.sfexaminer.com/local/2011/06/suhr-defends-officers-involved-lethal-shooting-suspect>



B
10-055
02/25/10

PROCEDURES FOR DEPLOYING SPIKE STRIPS

(Supersedes Department Bulletin 08-080)

SPIKE STRIPS

The purpose of this bulletin is to remind members of the policies and procedures for the use of "Spike Strips" and "Mini Spike Strips".

DEFINITION

Spike Strips are tire deflation devices that are used by police departments nationwide to disable moving motor vehicles. When a vehicle moves across a deployed spike strip, the strip's hollow spikes puncture the vehicle's tires and cause the tires to deflate at a controlled rate. The intended result is a vehicle that is easier to stop because it cannot operate at high speed.

Mini Spike Strips are deflation devices that can be used to provide added control in plain clothes operations, used for parked or stopped vehicles, where the risk of flight is significant. The four-inch rubber base with two spikes can be placed under any of the tires. When the vehicle drives off, the device will deflate the tire or tires, significantly diminishing the risk of a pursuit.

COMMANDING OFFICER RESPONSIBILITY

Commanding Officers are responsible for establishing unit-level procedures to ensure that:

- Members of his/her command are trained and able to deploy spike strips or mini spike strips in accordance with Department policy.
- Training Sergeants continue to train additional members of his/her command in the use of spike strips.
- The Vehicle Maintenance Officer keeps spike strip devices that are under the unit's control in good working order.

PROCEDURE

1. Regarding Department-initiated pursuits.

- Members using spike strips shall comply with General Order 5.05 and all Department policy and procedure concerning pursuit and "Code 3" driving.

- The designated pursuit supervisor or commanding officer may authorize units equipped with spike strips to respond to potential deployment areas.
- The station keeper or a supervisory officer shall be responsible for the daily issuance of spike strips to those members of their assigned station who have been trained in the use of spike strips. Issued spike strips shall be returned to the station keeper at the conclusion of the watch.

When authorized, members trained in the use of spike strips shall drive Code 1 to deploy the spike strip where/when reasonable. Based on the circumstances of the pursuit, the pursuit supervisor or commanding officer may upgrade the response code of the units equipped with spike strips.

2. Supervisory officers and spike strip deployment officers should consider the following:

- Location, direction and speed of the pursuit.
- It is desirable to deploy the spike strip in locations not obvious to the suspect driver.
- If feasible, and as soon as possible, deploying members shall notify other police units of the location of the deployed spike strip. **This is particularly important when police-motorcycle units are in the area.**
- Spike strips shall not be used in pursuits to stop motorcycles, mopeds, or other two or three wheeled vehicles.
- Spike strips should not be deployed to stop (1) any vehicle transporting a hazardous material as defined in Vehicle Code Section 2402.7, or (2) any passenger bus transporting passengers, or (3) any school bus with passengers, or (4) any articulated vehicle (e.g., vehicles towing trailers, semi-truck/trailer combinations), unless the continued movement of the pursued vehicle would result in an unusual hazard to others.
- Members should keep in mind that pursuit driving and attempts to deploy spike strips are operations that require a coordinated effort by all involved to ensure success.

3. Use of mini spike strips:

- Mini spike strips are to be used by plainclothes units from district stations, Narcotics Detail, S.I.D., Bank Robbery Apprehension Team, Criminal Investigations Unit (CIU), and special units from the Crime Prevention Unit.
- Mini spike strips can be used during surveillance operations to lessen the chance of a suspect fleeing.
- Mini spike strips are only to be used on a vehicle that is under surveillance and risk of flight is significant.
- Members using mini spike strips while on surveillance shall notify dispatch and their supervisors of their intent. If the vehicle flees after being "spiked" members shall adhere to DGO 5.05 pursuit policy.

- After deployment, mini spike strips should be inspected for damage and any repairs reported to the maintenance officer. If replacement is necessary, notify EVOC unit.

POST PURSUIT REPORTING

- a. The primary unit's supervisor shall complete a pursuit summary report. Information on that form should include all the units involved and whether or not the spike strip deployment was successful.
- b. In instances where the primary unit was an outside agency and a vehicle was damaged or injury occurred from an SFPD spike strip, the on-scene SFPD supervisor shall request the outside agency include the use of the spike strip on their pursuit summary. Further, the SFPD supervisor shall request that the use and any damage or injury caused be listed in the outside agencies summary report. In addition, the SFPD supervisor shall have an SFPD memorandum prepared and submitted through his/her chain of command to the Legal Division and EVOC unit. The memorandum shall include all information related to the damage or injury and what steps were taken as outlined in the below section, **DAMAGE OR INJURY TO CIVILIANS AND THEIR VEHICLES**.

POST-DEPLOYMENT INSPECTION AND SPIKE STRIP REPAIR

The commanding officer of each unit shall ensure the following:

- After any spike strip use, deployment members are responsible for inspecting the spike strip for damaged, loose, or missing spikes. Further, they are responsible for notifying the unit's vehicle maintenance officer if spike strip replacement is necessary. Damaged or missing spikes shall be replaced and loose spikes tightened by the vehicle maintenance officer, prior to redeployment of the spike strip. The Unit Vehicle Maintenance Officer shall keep spike strip devices that are under the unit's control in good working order.
- For moderate or major damage requiring spike strip repairs, the unit vehicle maintenance officer shall bring the spike strip to the EVOC unit at the Academy for repair or replacement.

DAMAGE OR INJURY TO CIVILIANS AND THEIR VEHICLES

When damage or injury is caused to non-pursued civilians and/or their vehicles by the deployment of spike strips (usually deflated tires), deploying members shall notify the pursuit supervisors to respond to the scene. The pursuit supervisor is responsible for ensuring that:


- Photos are taken of the damage or injury.
- The civilian is assisted in securing tow or tire repair services.
- The civilian is given a case number.

- The civilian is advised to contact the Department Legal Division at 553-1511 to obtain a claim form.
- A Department memorandum to the affected district station captain is prepared reporting the injury or damage with any documents and/or evidence.
- A copy of the incident report, memorandum, photos, and any other relevant document or evidence is sent to the Legal Division and EVOC unit.

REPORTING

All spike strip use shall be indicated in the vehicle pursuit summary report, and in the incident report's narrative section. Such reporting should include:

- Specific location of the deployment.
- Identity of the units that deployed the spike strips in the pursuit.
- Injury and/or damage caused by the spike strip deployment.
- Identification of all vehicles damaged by the spike strip.


GEORGE GASCON
Chief of Police



EDWIN M. LEE
MAYOR

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603



GREGORY P. SUHR
CHIEF OF POLICE

June 13, 2011

Thomas Mazzucco
President, Police Commission
San Francisco Police Department
850 Bryant Street, Room #505
San Francisco, CA 94103

Re: Decision to return Sergeant Scott Ryan #734 and Officer Albert Lieu #1632 to regular assignment following their involvement in an Officer-Involved Shooting #11-002.

Dear President Mazzucco,

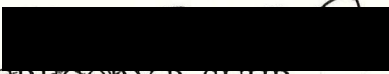
On June 13, 2011, in accordance with Department General Order 8.11, Acting Deputy Chief Albert Pardini convened the below panel to consider whether Sergeant Scott Ryan #734 and Officer Albert Lieu #1632 should be returned to regular assignment following their involvement in an officer-involved shooting on June 7, 2011. The Return to Duty panel included: Acting Deputy Chief Albert Pardini of Administrative Services Bureau (Chair), Deputy Chief Kevin Cashman of Operations Bureau, Commander Mikail Ali of Operations Bureau, Commander Michael Biel of Investigations, Captain Greg McEachern of Risk Management, Captain Denis O'Leary of Park Station, Lieutenant Hector Sainez of Homicide Detail, Lieutenant Robert Moser of the Internal Affairs Division-Admin, and Sergeant Mary Dunnigan of the Behavioral Science Unit.

The panel considered all of the investigative information provided by the Homicide Detail. Sergeant Mary Dunnigan confirmed that the involved member participated in the mandatory debriefing as required. As with all officer-involved shootings, the Internal Affairs Division made the following recommendations: the members should participate in a "Post-Discharge Firearm Debrief" at the Range and Force Options simulator training at the Academy. The panel made the recommendation to return the involved members to their regular field assignment following attendance in the above listed training.

Based upon all the facts and circumstances known at this time, and after consulting with appropriate Department personnel as described in DGO 8.11, I find that Sergeant Scott Ryan and Officer Albert Lieu should be returned to their regular assignment.

In accordance with Department General Order 8.11, I look forward to discussing my finding and decision with you at the Police Commission meeting on June 15, 2011.

Sincerely,

A black rectangular redaction box covering the signature of Gregory P. Suhr.

GREGORY P. SUHR
Chief of Police

cc: Director Hicks, OCC

COPY

Memorandum

San Francisco Police Department



To: Gregory Gregory P. Suhr
Chief of Police

From: Acting Deputy Chief Albert Pardini
Administrative Services Bureau

Date: Monday, June 13, 2011

Subject: Return to Duty Panel Discussion in relation to OIS 11-002

APPROVED	YES	NO
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>

On June 13, 2011 at 11:00 hours, pursuant to and in compliance with DGO 8.11, a panel to review OIS 11-002 (SFPD case #110460706) was convened. The incident occurred on June 7, 2011 and the members involved in the discharge were Sergeant Scott Ryan #734 and Officer Albert Lieu #1632 assigned to Park Station.

As required by DGO 8.11, the involved members have been assigned to administrative duties since the incident. The purpose of this panel's review was to determine if it is appropriate to return these members to their regular duty assignment.

The panel considered all of the preliminary criminal investigation information provided by Lieutenant Hector Sainez of Homicide Detail.

All involved members in the shooting were debriefed by the Behavioral Science Unit on June 9, 2011. Without objection, the panel voted to return Sergeant Scott Ryan and Officer Albert Lieu to regular duty without restriction following their attendance at non-punitive training: Range debrief and modified force options.

Members comprising the panel were:

How voted:

Acting Deputy Chief Albert Pardini (Chair) – Admin Services Bureau	(yes)
Deputy Chief Kevin Cashman – Operations Bureau	(yes)
Commander Mikail Ali – Operations Bureau	(yes)
Commander Michael Beil – Investigations Bureau	(yes)
Captain Denis O'Leary – Park Station	(yes)
Captain Greg McEachern - RMO	(yes)
Lieutenant Robert Moser – Internal Affairs Division	(yes)
Lieutenant Hector Sainez - Homicide Detail	(yes)
Sergeant Mary Dunnigan - Behavioral Science Unit	(yes)

**SFPD RANGE TRAINING****Firearms Discharge****ERIW Discharge****OIS**Referred by SGT. MIKE NEVIN #166Member Name SGT. SCOTT RYAN Star # 734Member Unit PARK STATIONDate Completed 6-17-11

Police Range: "Post-Discharge Debrief"

Completed? ☒ YES NO N/A

Police Range: "Gun Safety, Weapon Handling and Manipulation"

Completed? ☒ YES NO N/A

Police Range: "Engaging Threats in a Moving Vehicle"

Completed? ☒ YES NO N/A

Signed by Member

Star # 151

Signed by Range Staff

Star # 1612

FAX TO M.C.D. UPON COMPLETION (415) 553-9160

ATTN: Sergeant Mike Nevin #166



SFPD RANGE TRAINING

Firearms Discharge
ERIW Discharge
OIS

Referred by SGT. MIKE NEVIN #166
Member Name ALBERT LIEU Star # 1632
Member Unit PARK STATION
Date Completed 6-23-11

Police Range: "Post-Discharge Debrief"

Completed? ☒ YES NO N/A

Police Range: "Gun Safety, Weapon Handling and Manipulation"

Completed? ☒ YES NO N/A

Police Range: "Engaging Threats In a Moving Vehicle"

Completed? ☒ YES NO N/A

Signed by Member

Star # 1632

Signed by Range Sta

Star # 1612

FAX TO M.C.D. UPON COMPLETION (415) 553-9160

ATTN: Sergeant Mike Nevin #166

SFPD Force Options Training
Officer-Involved Shooting/Discharge

Member Name OFF. ALBERT LIEU #1632

Member Unit PARK STATION CO-F

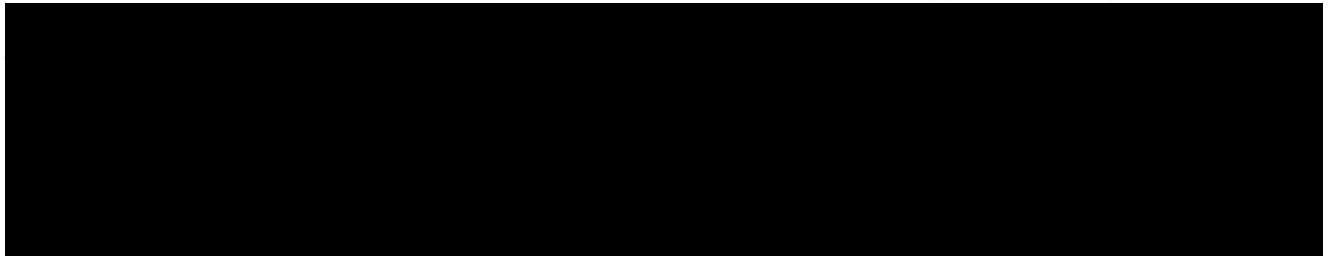
Date Completed 06/20/11

OFFICER R.K. SETO #4068
SAN FRANCISCO POLICE DEPT.
FORCE OPTIONS COORDINATOR

- Reviewed DGO 5.01 and 5.02
- Completed 3 scenario-based training exercises

☒ YES NO

☒ YES NO

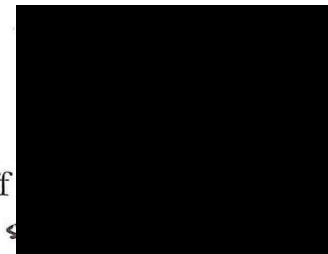


Signed by Member

Star # 1632

Signed by Academy Staff

Star # 4068



#1405

9

FAX TO M.C.D. UPON COMPLETION (415) 553-9160

ATTN: Sergeant Mike Nevin #166



SFPD Force Options Training
Officer-Involved Shooting/Discharge

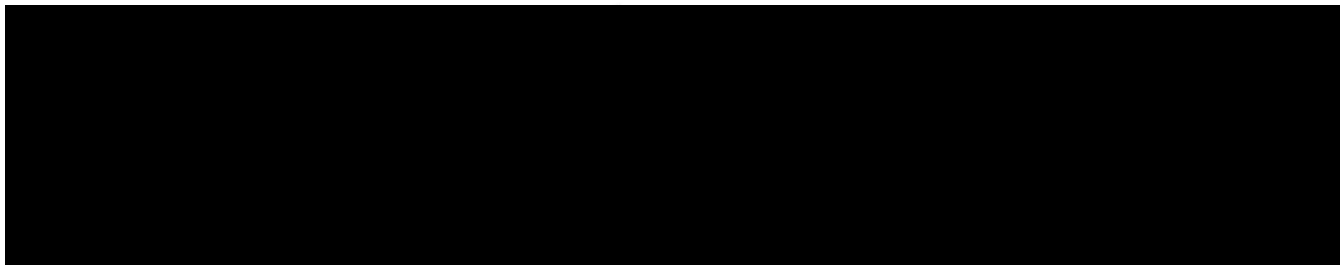
Member Name SGT. SCOTT RYAN #734

Member Unit PARK STATION CO.F

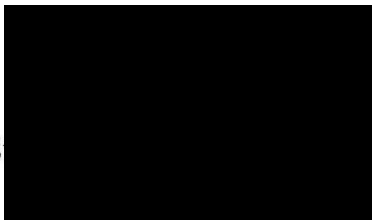
Date Completed 06/20/11

OFFICER R.K. SETO #4068
SAN FRANCISCO POLICE DEPT.
FORCE OPTIONS COORDINATOR

- Reviewed DGO 5.01 and 5.02 YES NO
- Completed 3 scenario-based training exercises YES NO



Signed by Member



Star # 734

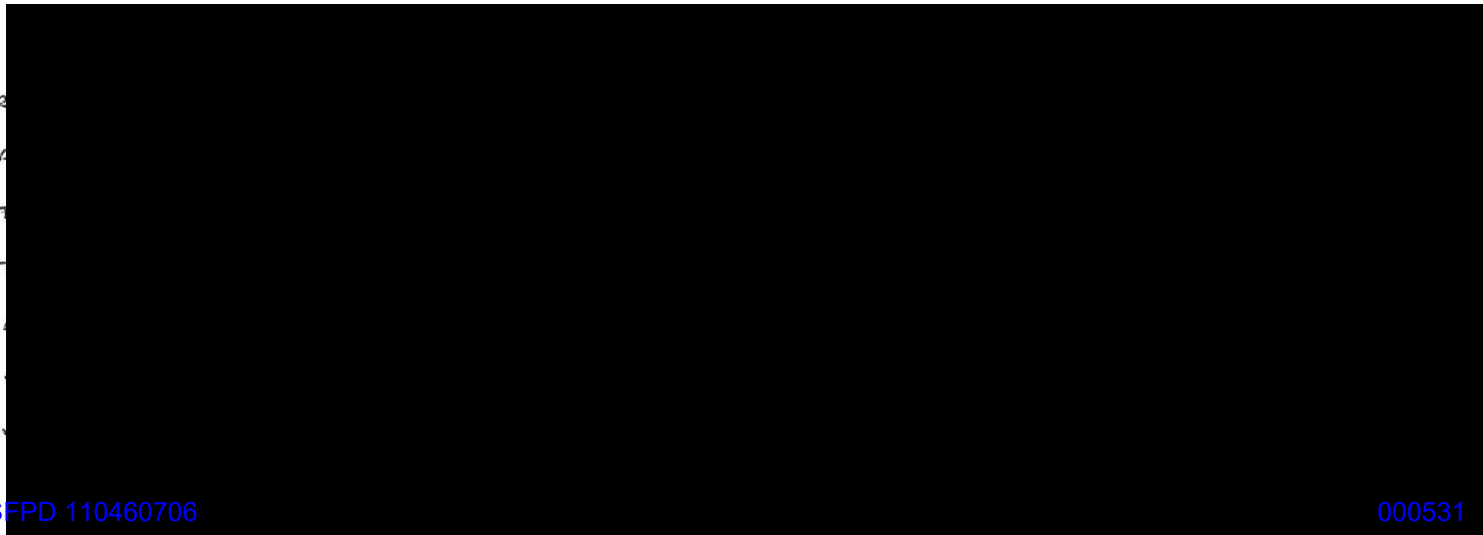
Signed by Academy S

Star # 4068

#1405 9

FAX TO M.C.D. UPON COMPLETION (415) 553-9160

ATTN: Sergeant Mike Nevin #166



SFPD Force Options Training
Officer-Involved Shooting/Discharge

Member Name OFF RUBEN REYES #1954

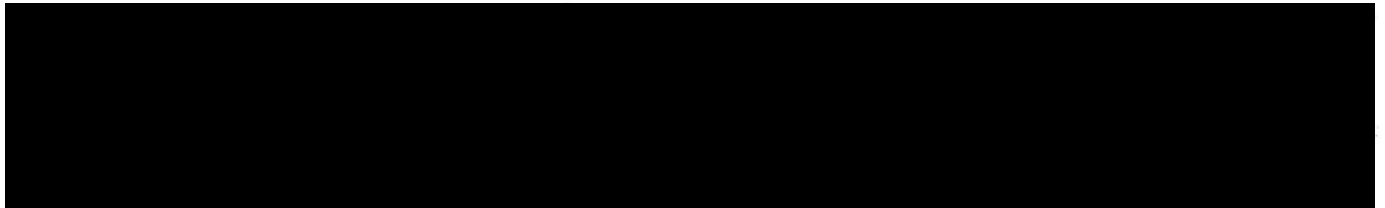
Member Unit PARK STATION C.O.F

Date Completed 06/20/11

215
OFFICER R.K. SETO #4068
SAN FRANCISCO POLICE DEPT.
FORCE OPTIONS COORDINATOR

- Reviewed DGO 5.01 and 5.02
- Completed 3 scenario-based training exercises

YES NO
YES NO



Signed by Member

Star # 1954

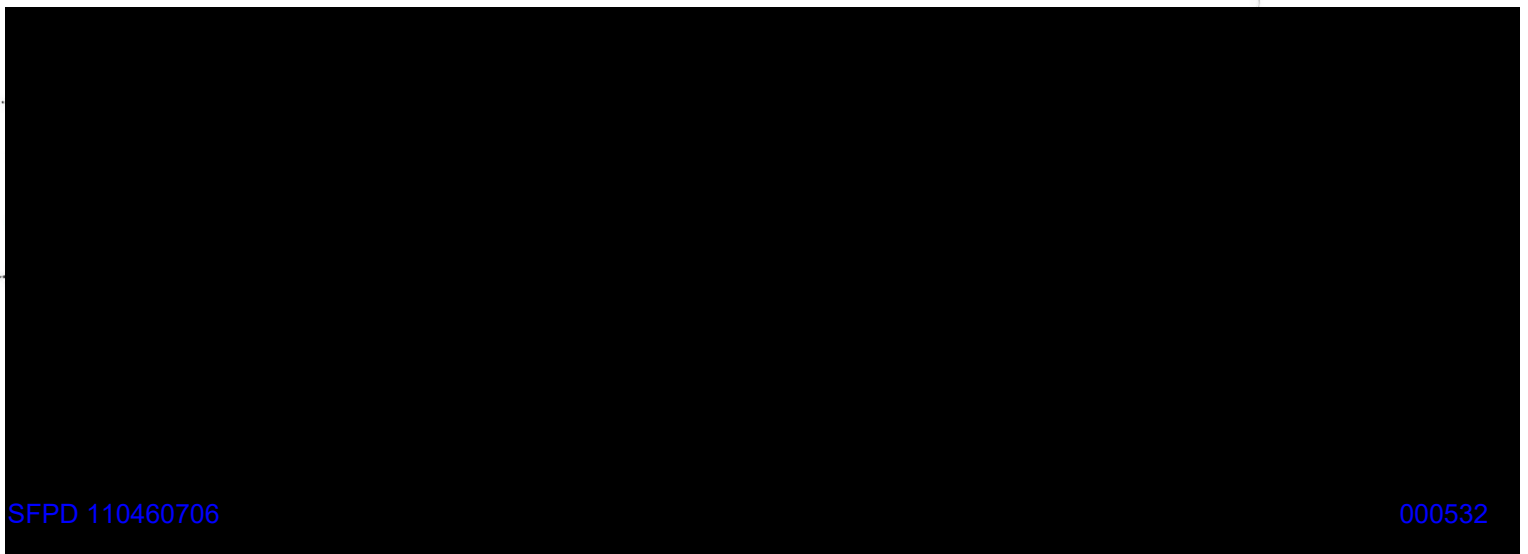
Signed by Academy Staff

Star # 4068

#1468

FAX TO M.C.D. UPON COMPLETION (415) 553-9160

ATTN: Sergeant Mike Nevin #166



***** SUMMARY OF O.I.S. 110460706 ■ BUENA
VISTA EAST 06/07/11 1723 HRS

INSPECTORS CAGNEY, DELAHUNTY, PHILPOTT,
OFFICERS:

- SGT. RYAN, OFFICERS LIEU, AND REYES, FULLY BRIEFED ON SUSPECTS DESCRIPTION, LOCATION, VEHICLE, AND SUSPECTED FELONY CRIMES INCLUDING ASSUALTING LAW ENFORCEMENT OFFICERS WITH HIS VEHICLE, BANK ROBBERIES, AND STOLEN VEHICLE PRIOR TO INCIDENT.
- OFFICERS GIVE DETAILED STATEMENTS THAT ARE CONSISTENT WITH EACH OTHER. ALL THREE OFFICERS STATE THAT THEY IDENTIFIED THEMSELVES AS POLICE, DISPLAYED THEIR POLICE STARS AND GAVE REPEATED VERBAL COMMANDS TO SHOW HANDS, TURN OFF VEHICLE, STOP. ALL THREE OFFICERS APPROACHED VEHICLE ATTEMPTING TO ARREST SUSPECT FOR CRIMES BRIEFED. ALL THREE OFFICERS STATED THAT SUSPECT DID NOT COMPLY
- OFFICERS STATED THAT SUSPECT VEHICLE BACKED UP TOWARDS SGT. RYAN WHO PER HIS STATEMENT WAS UNABLE TO ESCAPE DUE TO VEHICLE POSITIONING. OFFICER REYES STATED THAT HE BELIEVED SGT. RYAN'S LIFE WAS IN DANGER, SGT. RYAN BELIEVED HIS LIFE WAS IN DANGER, OFFICER LIEU BELIEVED SGT. RYANS LIFE WAS IN DANGER
- SGT. RYAN AND OFFICER LIEU ENGAGED SUSPECT TO PREVENT THE SUSPECT VEHICLE FROM STRIKING SGT. RYAN.

OFFICER REYES STATED THAT HE WAS UNABLE TO FIRE DUE TO CROSS FIRE WITH OFFICER LIEU

- OFFICER LIEU STATED SUSPECT VEHICLE THEN MOVES FORWARD AND TRAPS HIM. OFFICER LIEU STATED THAT HE FEARED FOR HIS SAFETY AND CONTINUED TO SHOOT AT THE DRIVER TO PREVENT INJURY TO HIMSELF. OFFICER LIEU STATED THAT HE WAS PINNED BETWEEN TWO PARKED VEHICLES THAT WERE STRUCK BY THE SUSPECT AND HE HAD TO JUMP ON THE TRUNKS OF BOTH VEHICLES TO PREVENT BEING INJURED.

WITNESSES

- 5 PRIMARY WITNESSES INTERVIEWED AT SCENE. ALL 5 PRIMARY WITNESSES STATEMENTS ARE CONSISTENT WITH EACH OTHER AND FOR THE MOST PART WITH THE OFFICERS.
- ALL 5 WITNESSES HEARD OFFICERS GIVING REPEATED VERBAL COMMANDS. 4 OF 5 WITNESSES CONFIRM THAT VEHICLE WAS MOVING AT THE TIME OF THE SHOOTING. 5TH WITNESS DID NOT SEE SHOOTING. TWO WITNESSES CONFIRM THAT THEY SAW AN OFFICER JUMPING ON TOP OF PARKED VEHICLES TO ESCAPE SUSPECT VEHICLE

PHYSICAL EVIDENCE

- PARKED VEHICLES SHOW EVIDENCE OF SCUFF MARKS ON TRUNKS, SIDES
- AT LEAST 23 CASINGS ON STREET
- VEHICLE IMPACT DAMAGE TO POLICE VEHICLE, SUSPECT VEHICLE, AND TWO PARKED VEHICLES
- OFFICER LIEU'S CLOTHING APPEARS TO SHOW EVIDENCE OF CONTACT WITH VEHICLES CONSISTENT WITH BEING PINNED.

Government Code Sec. 6254(f) and Penal Code sec. 11105 et. seq

Government Code Sec. 6254(f) and Penal Code sec. 11105 et. seq



Government Code Sec. 6254(f) and Penal Code sec. 11105 et.seq



Government Code Sec. 6254(f) and Penal Code sec. 11105 et.seq

HOMICIDE INTERVIEW SUMMARY
OIS 11-002 / CASE #110-460-706

Date and time of interview: Tuesday, June 7th, 2011 at 2320 hours.

Location: Homicide Detail

Present at interview:

Inspector John Cagney #341

Inspector Brian Delahunty #2103

DAI Jeff Posada #7044

POA Attorney Margret Pendergest

Officer interviewed: Officer Ruben Reyes #1954, [REDACTED] Park Station, 3F35E (Park Station Plainclothes Street Crime Unit), [REDACTED] hour shift.

Regular partners: Sergeant Scott Ryan #734 and Officer Albert Lieu #1632

Department entry date: February 2004

Start Date Park Station: April 2006

Start Date Plainclothes Unit: December 2009

Equipped with following: Department issued Firearm, two magazines, OC, Radio, Handcuffs, Knife and Star

Summary as follows:

Officer Reyes said that he was notified by Sergeant Ryan that when he arrives at work and after putting on his gear, go to the Buena Vista East and Haight area. Officer Reyes said that he was working with Officer Lieu. Sergeant Ryan told Officer Reyes to call him prior to heading out. Officer Reyes said that on the way to the Buena Vista East and Haight area he called Sergeant Ryan and was informed that a stolen gray or silver BMW was under surveillance, involving a [REDACTED] suspect wanted in a series of bank robberies in Los Angeles. The suspect may have used this vehicle to run down a Deputy Sheriff in Los Angeles. Sergeant Ryan told them to position themselves at Divisadero and Duboce. Officer Reyes said that there were other units in the area and he and Lieu were providing outer perimeter support.

Officer Reyes said once they arrived at Duboce and Divisadero, he texted Sergeant Ryan they were 97.

Officer Reyes said that he waited with Officer Lieu and they were notified the surveillance would be over a 1500 hours. Officer Reyes said at 1500 hours he contacted Sergeant Ryan and they met him at Park Station. They all went out and did regular duties.

Officer Lieu was the driver; Sergeant Ryan was the front passenger and Officer Reyes the rear passenger behind Officer Lieu. Officer Reyes said that they backed up a unit responding to a call of a person banishing a gun on Parnassus. After clearing that run, they decide to check on the BMW on Buena Vista to see if it was still there and get a visual on it for future reference.

Once on Buena Vista East and Duboce, they headed down the hill north bound on Buena Vista East looking for the BMW, near a yellow van. Officer Reyes said he saw the van and BMW, and as they passed the BMW he heard Officer Lieu say the brake lights went on or the roof top opened.

Officer Reyes said that they made a u-turn on Haight and made their way back up towards the BMW south bound. Officer Reyes said that he saw movement in the BMW on the driver's side. Officer Reyes said that he heard Sergeant Ryan say stop the car.

Officer Lieu got out of the front driver's side and Officer Reyes got out of the rear driver's side. They worked their way around their car and position themselves to triangulate on the driver side of the BMW. Officer Reyes said he was on the right hand side; Officer Lieu was on the left hand side and Sergeant Ryan opened his door (front passenger) which was behind the BMW.

Officer Reyes said that he had his gun out and was cautiously approaching the BMW. Officer Reyes said that he had his star out. Officer Reyes said that he yelled "San Francisco Police put your hands on the steering wheel right now" and Officer

Lieu was yelling similar commands also. Officer Reyes said that he made eye contact with the suspect when the suspect turned and looked in [REDACTED] direction and then the suspect turned and looked in Officer Lieu's direction. Officer Reyes said the suspect had [REDACTED] hands in the thigh and leg area. Officer Reyes said the BMW's passenger side window was up.

Officer Reyes said he saw the suspect make the gesture to start the engine and the BMW started to move back to flee, Officer Reyes described the suspect's actions as "I'm getting the hell out of here". Officer Reyes said that from his perspective the BMW was heading straight back towards Sergeant Ryan.

Officer Reyes said that as the suspect was backing up he heard some shots fired. Officer Reyes said that he repositioned himself and when he was ready to engage the suspect he saw his partner Officer Lieu. Officer Reyes said when the BMW moved the triangulation changed; Officer Lieu was in his line of fire. Officer Reyes said that "things were coming my way", he was not sure what it was, possibly glass and he ducked.

Officer Reyes said that he started to pivot to his right while looking over towards Sergeant Ryan he lost sight of him. Officer Reyes said when he completed his pivot he saw Sergeant Ryan. At that point the BMW came to a stop and Officer Reyes saw some movement from the suspect.

Officer Reyes said that he approached the BMW from the back, between the van and BMW. Officer Reyes said that he went to the passenger side door and tried the door and it was locked. Officer Reyes said that Sergeant Kane, Sergeant Ryan and Officer Lieu were on the driver side of the BMW.

Officer Reyes informed them that he could see the suspect hands and they were in the right leg area. The suspect did not have anything in [REDACTED] hands. Sergeant Ryan went to the driver's side door and unlocked all the doors.

Officer Reyes went around to the driver's side of the BMW to handcuff the suspect with Officer Lieu; the suspect was still in the vehicle when they handcuff [REDACTED]. Officer Reyes stated other units started to arrive and an ambulance arrived quickly.